

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andre Jestin et al.

Title: CIRCOVIRUS SEQUENCES ASSOCIATED WITH PIGLET
WEIGHT LOSS DISEASE (PWD)

Appl. No.: 10/718,266

Filing Date: November 21, 2003

Examiner: To Be Assigned

Art Unit: 1648

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the Examiner's attention the documents on the attached forms PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

This application is a continuation of U.S. Application No. 09/514,245 filed February 28, 2000, now U.S. Pat. No. 6,703,023, which application is a continuation in part of PCT Application No. PCT/FR98/02634, filed December 4, 1998.

A. Documents

Copies of the listed documents B1 to B88 are attached. The documents B1 was submitted in the parent case, U.S. Application No. 09/514,245, now U.S. Pat. No. 6,703,023, and copies of those documents are not submitted here.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

B. Non-English Language Documents

French Patent Application Publication No. 2 422 956 (11/09/1979) (B7): Attached with this filing is a Derwent Abstract of this document (B86). An English language counterpart to this application is U.S. Patent No. 5,605,800.

French Patent Application Publication No. 2 518 755 (06/24/1983) (B8): Attached with this filing is a Derwent Abstract of this document (B87). An English language counterpart to this application is U.S. Patent No. 5,988,825.

German Patent Application Publication No. 10044648 (3/23/2002) (B13): Attached with this filing is a Derwent Abstract of this document (B88). An English language counterpart to this application is U.S. Patent No. 6,573,081.

C. Conclusion

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents are not "prior art" under United States law, then Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Examiner is invited to contact the undersigned if any questions may be resolved by a telephone conference.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

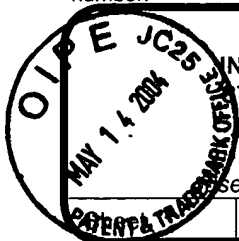
Date May 14, 2004

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By 
AMY M ROCKLIN, REG # 47,033
for Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

May 14, 2004

Use as many sheets as necessary)

1 of 6

Complete if Known

Application Number	10/718,266
Filing Date	11/21/2003
First Named Inventor	André JESTIN
Group Art Unit	1648
Examiner Name	To Be Assigned
Attorney Docket Number	042049-0107

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	B1.	6,497,883		Michel et al.	12-24-2002	
	B2.	6,517,843		Albert et al.	02-11-2003	
	B3.	6,143,334		Gordon et al.	11-07-2000	
	B4.	2002/0177216		Phillip et al.	11-28-2002	
	B5.	2002/0106639		Wang et al.	08-08-2002	
	B6.	2002/0055189		Bernhardt et al.	05-09-2002	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B7.		FR 2 422 956	/	Institut Pasteur	11-09-1979		
	B8.		FR 2 518 755	/	Institut Pasteur	06-24-1983		
	B9.		WO 90/11092	/	Vical, Inc.	10-04-1990		
	B10.		WO 94/27238	/	MDS Health Group Ltd.	11-24-1994		
	B11.		WO 95/11307	/	Institut Pasteur	04-27-1995		
	B12.		WO 00/77188	/	Merial	12-21-2000		
	B13.		DE 10044648	/	Aventis Behring GmbH	03-21-2002		
	B14.		WO 01/96377	/	Purdue Research Foundation	12-20-2001		
	B15.		WO 02/102999	/	Univ. Melbourne	12-27-2002		

NON PATENT LITERATURE DOCUMENTS

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	B16.	Allan, G.M. et al., 1995, Vet. Microbiol., 44: 49-64.	
	B17.	Barany, F., 1991, PNAS. USA, 88: 189-193.	
	B18.	Liu et al., 1997, J. Gen. Virol., 78 (Pt 6), 1265-1270.	

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		First Named Inventor	André JESTIN
		Group Art Unit	1648
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Sheet	2	of	6
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	B19.	Buckholz, R.G., 1993, Yeast systems for the expression of heterologous gene products. Curr. Op. Biotechnology 4: 538-542.	
	B20.	Burg, J.L. et al., 1996, Mol. and Cell. Probes, 10: 257-271.	
	B21.	Chu, B.C.F. et al., 1986, NAR, 14: 5591-5603.	
	B22.	Chu, P.W.G. et al., 1993, Virus Research, 27: 161-171.	
	B23.	Clark, E.G., 1997, American Association of Swine Practitioners, 499-501.	
	B24.	Daft, B. et al., 1996, American Association of Veterinary Laboratory Diagnosticians, 32.	
	B25.	Derse, D. et al., 1995, J. Virol., 69(3): 1907-1912.	
	B26.	Duck, P. et al., 1990, Biotechniques, 9: 142-147.	
	B27.	Dulac, G.C. et al., 1989, Can. J. Vet. Res., 53: 431-433.	
	B28.	Edwards, C.P., and Aruffo, A., 1993, Current applications of COS cell based transient expression systems. Curr. Op. Biotechnology 4: 558-563.	
	B29.	Edwards, S. et al., 1994, Vet. Rec., 134: 680-681.	
	B30.	Erlach, H.A., 1989, In PCR Technology. Principles and Applications for DNA Amplification. New York: Stockton Press.	
	B31.	Felgner, et al., 1987, Proc. Natl. Acad. Sci., 84: 7413-7417.	
	B32.	Fontes, E.P.B. et al., 1994, J. Biol. Chem., Vol. 269, No. 11: 8459-8465.	

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				First Named Inventor	André JESTIN
				Group Art Unit	1648
				Examiner Name	To Be Assigned
Sheet	3	of	6	Attorney Docket Number	042049-0107

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	B33.	Fraleigh et al., 1980, J. Biol. Chem., 255: 10431-10435.	
	B34.	Guateli, J.C. et al., 1990, Proc. Nat'l Acad. Sci., USA, 87: 1874-1878.	
	B35.	Hackland, A.F. et al., 1994, Arch. Virol., 139: 1-22.	
	B36.	Hanson, S.F. et al., 1995, Virology, 211: 1-9.	
	B37.	Harding, J.C., 1997, American Association of Swine Practitioners, 503.	
	B38.	Harding, R.M. et al., 1993, Journal of General Virology, 74: 323-328.	
	B39.	Harding, J.C. and Clark, E.G., 1997, Swine Health and Production, Vol. 5, No. 5: 201-203.	
	B40.	Heyraud-Nitschke, F. et al., 1995, Nucleic Acids Research, Vol. 23, No. 6: 910-916.	
	B41.	Horner, G.W., 1991, Surveillance 18(5): 23.	
	B42.	Müller, 1974, in Methode der Organischen Chemie, E. Wunsch Ed., Volume 15-I and 15-II, Thieme, Stuttgart.	
	B43.	Huygen, K. et al., 1996, Nature Medicine, 2(8): 893-898.	
	B44.	Innis, M.A. et al., 1990, in PCR Protocols. A guide to Methods and Applications, San Diego, Academic Press.	
	B45.	Kaneda, et al., 1989, Science, 243: 375-378.	
	B46.	Kievitis, T. et al., 1991, J. Virol. Methods, 35: 273-286.	

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	B47.	Kohler, G. & Milstein, 1975, Nature, 256(5517): 495-497.	
	B48.	Kwoh, D.Y. et al., 1989, Proc. Nat'l Acad. Sci., USA, 86: 1173-1177.	
	B49.	Ladany, S. et al., 1989, J. Clin. Microbiol. 27: 2778-2783.	
	B50.	Lazarowitz, S.G. et al., 1989, The EMBO Journal, Vol. 8 No. 4: 1023-1032.	
	B51.	Luckow, V.A., 1993, Baculovirus systems for the expression of human gene products. Curr. Op. Biotechnol. 4: 564-572.	
	B52.	Matthews, J.A. et al., 1988, Anal. Biochem., 169: 1-25.	
	B53.	McNeilly, F. et al., 1996, Vet. Immunol. Immunopathol., 49: 295-306.	
	B54.	Marglin, A. and Merrifield, R.B., 1966, J. Am. Chem. Soc., 88(21): 5051-5052.	
	B55.	Midoux, 1993, Nucleic Acids Research, 21: 871-878.	
	B56.	Miele, E.A. et al., 1983, J. Mol. Biol., 171: 281-295.	
	B57.	Virus Taxonomy, Murphy, F.A. et al., Ed. 1995, Sixth Report of the International Committee on Taxonomy of Viruses, Springer-Verlag Wien New York.	
	B58.	Nayar, G.P. et al., 1997, Can. Vet. J. 38(6): 385-386.	
	B59.	Olins, P.O., and Lee, S.C., 1993, Curr. Op. Biotechnol. 4: 520-525.	
	B60.	Pagano et al., 1967, J. Virol., 1: 891-897.	
	B61.	Rolfs, A. et al., "Usage of Polymerase Chain Reaction in Genetic and Infectious Disease" in PCR Topics, 1991, Springer-Verlag, Berlin.	

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	B62.	Sambrook, J. et al., 1989, Molecular cloning: A Laboratory Manual. Cold Spring Harbor, NY: Cold Spring Harbor Laboratory Press.	
	B63.	Sanchez-Pescador, R., 1988, J. Clin. Microbiol., 26(10): 1934-1938.	
	B64.	Kessler, C., "Overview of Amplification on Systems" in Non-radioactive Labeling and Detection of Biomolecules, 1992, Springer Verlag, Berlin, New-York: 197-205.	
	B65.	Shiver, J.W., "Immune Responses to HIV gp120 Elicited by DNA Vaccination," in Vaccines, 1995, eds Chanock, et al., pp. 95-98, Cold Spring Harbor Laboratory Press, Cold Spring Harbor, New York.	
	B66.	Tascon, R.E. et al., 1996, Nature Medicine, 2(8): 888-892.	
	B67.	Tischer, I. et al., 1982, Nature, 295: 64-66.	
	B68.	Tischer, I. et al., 1986, Arch. Virol., 91: 271-276.	
	B69.	Tischer, I. and Bohk, H.J., 1988, Zentralbl Bakteriell Mikrobiol Hyg [A] 270: 280-287.	
	B70.	Urdea, M.S., 1988, Nucleic Acids Research, 11: 4937-4957.	
	B71.	Walker, G.T. et al., 1992, Nucleic Acids Res. 20: 1691-1696.	
	B72.	Walker, G.T. et al., 1992, Proc. Nat'l Acad. Sci., USA, 89: 392-396.	
	B73.	White, B.A. et al. Eds, "PCR Cloning Protocol" in Methods in Molecular Biology, 67, Humana Press, Towota, 1997.	
	B74.	Zhao, T.M. et al., 1996, Proc. Natl. Acad. Sci., USA 93(13): 6653-6648.	
	B75.	Pearson, William R. et al., 1988, "Improved Tools for Biological Sequence Comparison", Proc. Nat'l Acad. Sci., USA, 85: 2444-2448	

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	B76.	Kasahara, Noriyuki et al., 1994, "Tissue-Specific Targeting of Retroviral Vectors Through Ligan-Receptor Interactions", Science, 266: 1373-1376	
	B77.	Young, John A. T. et al., "Efficient Incorporation of Human CD4 Protein into Avian Leukosis Virus Particles", Reports, 1421-1423	
	B78.	Chu, Te-hua Terina et al., 1997, "Toward Highly Efficient Cell-Type-Specific Gene Transfer with Retroviral Vectors Displaying Single-Chain Antibodies", J. Virol., 71(1): 720-725	
	B79.	Smith, Temple F. et al., 1981, "Comparison of Biosequences", Advances in Applied Mathematics, 2: 482-489	
	B80.	Valsesia-Whittmann, Sandrine et al., 1996, "Improvement of Retroviral Retargeting by Using Amino Acid Spacers between an Additional Binding Domain and the N Terminus of Moloney Nurine Leukemia Virus SU", J. Virol, 70(3): 2059-2064	
	B81.	Neddleman, Saul B. et al., 1970, "A General Method Applicable to the Search for Similarities in the Amino Acid Sequence of Two Proteins", J. Mol. Biol., 48(3): 443-453	
	B82.	Cosset, Francois-Loic et al., 1995, "Retroviral Retargeting by Envelopes Expressing an N-Terminal Binding Domain", J. Virol., 69:6314-6322	
	B83.	Blanchard et al., 2003, "An ORF2 Protein-Based ELISA for Porcine Circovirus Type 2 Antibodies in Post-Weaning Multisystemic Wasting Syndrome", Veterinary Microbiology, 94: 183-184	
	B84.	Rose, N. et al., 2002, "Risk Factors for Porcine Post-Weaning Multisystemic Wasting Syndrome (PMWS) in 149 French Farrow-to-Finish Herds", Preventive Veterinary Microbiology, 61: 209-225	
	B85.	Blanchard et al., 2003, "Protection of Swine Against Post-Weaning Multisystemic Wasting Syndrome (PMWS) by Porcine Circovirus Type 2 (PCV2) Proteins", Vaccine 21: 4565-4575	
	B86.	Derwent Abstract of French Patent Appl. No. 2422956	
	B87.	Derwent Abstract of French Patent Appl. No. 2518755	
	B88.	Derwent Abstract of German Patent Appl. No. 10044648	

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